

BOARD OF REGISTERED NURSING
INITIAL STATEMENT OF REASONS

Hearing Date: February 17, 2009

Subject Matter of Proposed Regulations: Fingerprinting and other license renewal requirements

Sections Affected: Title 16, Division 14, Sections 1419, 1419.1, and 1419.3.

Specific Purpose of Each Amendment:

Following is a description of each proposed amendment and the factual basis for the action. The majority of the proposed regulatory language was approved by the Office of Administrative Law (OAL) as an emergency regulatory action based on Sections 11346.1 and 11349.6 of the Government Code on 11/24/2008 and will expire on 5/27/2009. The regulatory amendment requiring the renewal applicant to disclose any discipline taken against a license by a government agency or other disciplinary body since last license renewal was added.

Amend Section 1419.

Existing regulations provide that a registered nurse license renewal application shall be on the form provided by the Board, accompanied by the fee and required information, and filed with the Board. This proposal clarifies and expressly codifies the information that is required for renewal. Four (4) subsections are added and the Section is reformatted to accommodate the additions. The specific amendments are:

Section 1419(a) is a formatting change that letters the existing language as (a).

Section 1419(b) requires a licensee who was never fingerprinted by the Board or for whom a fingerprint record no longer exists, as a condition of renewal, to furnish to the Department of Justice (DOJ) a full set of fingerprints for the purpose of conducting a criminal history record check and a state and federal criminal offender record information (CORI) search conducted through the DOJ. The licensee is required to certify on the application for renewal whether he or she has complied with the fingerprint requirement. Failure to do so would constitute grounds for disciplinary action by the Board. The requirement is waived if the licensee is renewing in the inactive status or is actively serving in the military outside the country.

Factual Basis: Protection of the public is the Board's highest priority in exercising its licensing, regulatory, and disciplinary functions. Business and Professions Code Section 2761(f) permits the Board to deny an application for licensure and to take disciplinary action against a registered nurse license, if the licensee applicant or registered nurse is convicted of a felony or any offense substantially related to the qualifications, functions, and duties of a registered nurse. There are several sources of conviction information, including CORI reports from the DOJ generated from Board fingerprinting of the licensee applicant/licensee, and self-reporting of convictions by the licensee applicant/licensee. The conviction may result in Board denial of a license or disciplinary action. The proposed regulatory action requires fingerprinting of **all** registered nurses never fingerprinted by the Board or for whom a fingerprint record no longer exists, as a condition of license renewal in active status commencing with licenses that expire on or after March 1, 2009.

The Board currently maintains and tracks approximately 360,000 active registered nurse licenses. In August 1990, the Board began to fingerprint its initial applicants for licensure, and

obtains much more reliable and timely information regarding potential criminal activity and convictions for these licensees. Specifically, the Board automatically receives an electronic notification from the DOJ informing the Board about a criminal conviction for these registered nurses. Even before that report, however, the Board will receive notification of any subsequent arrest. This allows the Board to take action necessary to protect the public, including immediate action to suspend a registered nurse's license, if warranted by the behavior leading to the arrest. Without the automatic and immediate notification of an arrest or conviction, the Board must rely upon complaints from other sources or self-disclosure by the registered nurse to learn that there are acts that it should investigate, or that require immediate action.

The amendment would affect approximately forty percent or roughly 147,000 current, active registered nurses, who were licensed before August 1990 and for whom the Board did not require or collect fingerprints. In extrapolating from its own statistics for the last two (2) fiscal years, the Board estimates that approximately 2% of these licensees either have existing convictions, or will have a conviction at some point during their licensure. While that sounds like a low percentage, it would result in uncovering convictions against approximately 2,940 licensees -- a substantial number.

While the Board has been aware that there were licensees who had never been fingerprinted, recent Board cases and newspapers articles that focused on the criminal history of several such licensees highlighted the magnitude of the problem and the consequences of not mandating fingerprinting for **all** registered nurses. Following are examples of registered nurses licensed prior to mid-1990 who had not been fingerprinted by the Board and who had significant criminal convictions:

1. The Board disciplined a licensee in 2007, in part, for convictions that occurred in 2006, and as far back as 1998 and 2003. The convictions included three incidents of driving under the influence, with high levels of alcohol and controlled substances, as well as leaving the scene of an accident. The Board did not become aware of the convictions until well after they had occurred, and only as a result of a spot check by the Attorney General's Office conducted while preparing an accusation charging other grounds for discipline.
2. The Board was not automatically notified that a registered nurse who was licensed in 1989 was subsequently convicted of a crime that resulted in the licensee being placed on California's Megan's Law database.
3. Less than four (4) months ago, the Board filed an accusation against a registered nurse, who was licensed prior to 1990, in part based on a 2007 conviction in California. The Board discovered the conviction only through an anonymous complaint.
4. The Board recently opened an investigation against a registered nurse licensed in early 1990, after a news report disclosed a federal indictment in 2007 for multiple counts of health care fraud.
5. A registered nurse licensed in 1978 was convicted in 1994 of attempted murder. Because the licensee had never been fingerprinted, the Board was never notified by the DOJ of the arrest, and the licensee was able to renew the license in an active status while in prison for that conviction.

The cost for a person to get fingerprinted is approximately \$65.00. Of this fee, \$51.00 goes to the DOJ for conducting the background check and providing criminal record reports to the Board; \$14.00 goes to the vendor for fingerprinting the individual. The vendor's fee ranges from \$5.00 to \$45.00 with the average fee being \$14.00.

In a profession devoted to the care of very vulnerable consumers, it is imperative that the Board have a mechanism in place that allows it to receive in a reliable manner, current and timely information regarding criminal activity for **all** its licensees. The Board cannot adequately protect the public if it takes action years after the conduct constituting grounds for discipline is even brought to light, especially in an unreliable manner. With the availability of Live Scan technology to submit fingerprints, the impact on the licensees is truly minimal; yet the benefit to the public is great and necessary. For the Board to effectively and efficiently perform its public protection mandate, it must be allowed to require **all** licensees to have their fingerprints on file with the DOJ.

The proposed fingerprinting requirement becomes effective for licenses that expire on or after March 1, 2009, and applies to the licensee at the time of license renewal. The Board considered the alternative of requiring all licensees who had not been fingerprinted, or for whom the Board no longer had a record of the fingerprinting, to undergo fingerprinting in the immediate future independent of any other action such as license renewal. However, the Board determined that this was not a viable alternative, because neither the DOJ nor the Board is currently staffed to handle the potential surge in workload. In discussions with the DOJ, it became clear that such a large influx of fingerprints from the Board's licensees would be extremely overwhelming to their processing system. According to DOJ, if the Board required 147,000 licensees to be fingerprinted all at once, in February 2009, for example, DOJ would need to hire an additional 20 staff and have them trained by March 2009, which it characterized as highly improbable, and it would take these staff members one year to process all of the transactions. However, DOJ agreed that it could process the fingerprints over a two year period as proposed by the Board.

It is anticipated that the Board will add 6.5 permanent and 4.5 limited term two-year positions to process the CORI reports received from DOJ. The Board also determined that making the requirement a condition of renewal, so that it will take about 2 years to obtain all the CORI reports, is much more reasonable timeframe. It allows the Board to process the reports as they arrive subsequent to license renewal, rather than risk a large influx of reports that then cannot be processed timely by staff.

To ensure compliance with the fingerprinting condition, the renewal applicant is required to certify on the renewal application whether or not the fingerprints have been submitted to DOJ. Failure to submit the fingerprints on or before the date required is grounds for discipline by the Board. The fingerprinting requirement is waived if the registered nurse is renewing in an inactive status, or is actively serving in the military outside the country. In both the waived circumstances, the licensee is not practicing as a registered nurse in California and, therefore, does not pose a threat to consumers in this state, where the Board has jurisdiction.

Section 1419(c) requires an applicant for license renewal to disclose on the renewal application form if he or she has been convicted of any violation of the law, with certain exceptions, in California or any other state, the United States, or other country, since his or her last license renewal. Traffic infractions under \$300 that do not involve alcohol, dangerous drugs, or controlled substances do not need to be reported. The reporting time period, i.e., since the licensee last renewed his or her license, was added and referencing Section 2765 was deleted subsequent to the OAL approval of the emergency regulatory action.

Factual Basis: Business and Professions Code Section 2761(f) permits the Board to deny a registered nurse license or take disciplinary action against a registered nurse license based upon a conviction of a felony or any offense substantially related to the qualifications, functions, and duties of a registered nurse. The change enhances the Board's ability to implement the

statute by requiring, at the time of license renewal, self-disclosure of specified convictions; Section 1419(e) imposes a consequence for not answering the conviction question. The regulatory proposal serves to protect the public by providing another source of information about the renewal applicant's conduct that may subject the license to Board discipline. Traffic infractions under \$300 that do not involve alcohol, dangerous drugs, or controlled substances do not need to be reported; they are not indicative of behavior that the Board is entitled to use as a basis for discipline. The question regarding convictions merely requires a licensee to check a box indicating if he or she has convictions, not only in this state, but also in other states and countries. The question may generate information that may not otherwise be obtained from the DOJ CORI reports. If the applicant discloses that there was a conviction, the Board can conduct an investigation to determine if disciplinary action is required to protect the public.

A time period for reportable convictions was added. It is unnecessary for the applicant to report convictions that occurred in the preceding renewal period; the licensee should have already reported these prior convictions. The reference to Section 2765 was deleted because the Board wants the applicant to disclose **any** conviction; the Board, and not the applicant, will make the determination if the conviction is substantially related to the qualifications, functions, or duties of a registered nurse.

Section 1419(d) was added subsequent to the OAL approval of the emergency regulatory action, and requires that an applicant for renewal disclose whether, since the last registered nurse license renewal, he or she has had a license disciplined by a government agency or other disciplinary body. The disciplinary action includes revocation, voluntary surrender, suspension, probation, reprimand, or any other restriction on a license.

Factual Basis: Business and Professions Code Section 2761(a)(4) permits the Board to deny or take disciplinary action against a registered nurse license based on denial or disciplinary action against any other health care professional license issued by another governmental agency or other disciplinary body. The regulatory action enhances the Board's ability to implement the statute by requiring self-disclosure of license discipline at the time of license renewal; Section 1419(e) imposes a consequence for not answering the discipline question. As with the conviction question, the discipline question requires a licensee to check a box. If the applicant discloses that there was a license disciplinary action, the Board will determine if it was a "health care professional license" and will conduct an investigation, as necessary, to determine if disciplinary action against the California registered nurse license is required to protect the public.

The Board cannot project the number of licensees who will report disciplinary action at the time of license renewal. However, Board statistics for the last two (2) fiscal years provide the following discipline-related data:

Number of initial license applicants with prior discipline against a healthcare-related license in another state (pre-licensure):

FY 2007/08 - 115

FY 2006/07 - 87

Number of licensees who have had a healthcare-related license disciplined by another state (post-licensure):

FY 2007/08 - 86

FY 2006/07 - 70

The Board reports disciplinary actions against registered nurse licenses to the Health Integrity and Protection Data Bank (HIPDB) pursuant to Section 1128E(1)(b)(2)(D) of the Social Security Act, as added by Section 221(a) of the Health Insurance Portability and Accountability Act (HIPAA) of 1996. All health care professional licensing boards are required to report disciplinary actions to HIPDB. The Board reports its disciplinary action information to the National Council of State Boards of Nursing, (NCSBN) the Board's authorized agent for reporting discipline to the HIPDB, and for inclusion in the NCSBN disciplinary database, i.e., Nursys. Most state nurse licensing boards report disciplinary actions to Nursys, and will usually provide any disciplinary information to the Board, if it is aware that a licensee/applicant is licensed in California.

Although disciplinary action is available in databases as described above, licensing boards do not automatically receive notification of disciplinary actions imposed against its licensees. The Board queries Nursys at the time of initial licensure, if the applicant is endorsing into California from another state. The Board also queries Nursys, if notified that a licensee has been disciplined by another state nurse licensing board. Requiring that licensees disclose if they have had a license disciplined, since the last renewal cycle, will provide the Board with another trigger for staff to access the Nursys database, as well as to contact licensing boards to obtain disciplinary action-related information. This information may be used by the Board to impose disciplinary action, as necessary, to protect the public.

Implementation of Self-Reporting Requirements: Both conviction and license discipline are reportable on the license renewal form for licenses expiring on or after March 1, 2009. The Board's preference was to have both reporting requirements added to the application for the next renewal cycle, upon OAL approval of the emergency regulations. However, because the Board usually mails renewal notices to its licensees approximately 90-days prior to their license expiration dates, this was not feasible. Renewal notices for licenses that expire before March 2009 were mailed to licensees prior to the emergency regulation being approved. Additionally, the revision of the renewal form has to be coordinated with Department of Consumer Affairs Office of Information Services. The 90-day renewal notice period has been shortened for registered nurses, whose licenses expire March, 2009. The Board will mail the revised renewal form (RRNRN012/31/08) containing the new requirements to these licensees in mid-January 2009. The 90-day notice period will resume with the April 2009 license renewals.

Section 1419(e) specifies that failure to provide all the required information renders the renewal application incomplete and not eligible for renewal.

Factual Basis: This Section provides a consequence for not complying with the renewal requirements, thereby increasing the likelihood that the applicant will provide the required information.

Amend Sections 1419.1 and 1419.3

Section 1419.1 specifies that to activate an inactive license the licensee must submit a written request and evidence of 30 hours of approved continuing education taken during the two-year period immediately preceding the request for activation. Section 1419.3 provides, in relevant part, for the reinstatement of an expired license, if the licensee pays the renewal and penalty fees and submits evidence of 30 hours of continuing education taken within the prior two-year period. This proposal would require that a licensee, who was never fingerprinted by the Board or for whom a fingerprint record no longer exists, also furnish a full set of fingerprints as a condition of reactivating or reinstating an expired license.

Factual Basis: The regulatory action amends these Sections for consistency with Section 1419(b) and ensures that the Board receives fingerprints for **all** non-fingerprinted registered

nurses by requiring licensees activating an inactive license or reinstating an expired license, who have never been fingerprinted by the Board or for whom a fingerprint record no longer exists, to furnish a full set of fingerprints as required in Section 1419(b) as a condition of license activation or reinstatement, as applicable.

Underlying Data:

The Board will send a letter (Exhibit 1) to all registered nurses in January 2009 notifying them of the fingerprinting and disclosure of convictions and license discipline requirements. The letter will also be sent with renewal notices for the next two (2) years, commencing January 2009. The Board's License Renewal Application form (RRNRN12/31/08) requires that the license renewal applicant provide only the following statutorily or regulatory authorized information:

1. License status, i.e., active or inactive (16 CCR Section 1419.1)
2. Certification of successful completion of 30 hours of continuing education or meeting an exemption condition, for applicants requesting active status license. (Business and Professions Code Section 2811.5)
3. Whether applicant has been convicted of any crime in any state, the United States and its territories, military court, or other country. (16 CCR Section 1419(c))
4. Whether the applicant has had a license disciplined by a government agency or other disciplinary body. (16 CCR Section 1419(d))
5. Whether the applicant has complied with fingerprinting requirements. (16 CCR Section 1419(b))
6. Name or address change, if any. (16 CCR Section 1409.1)
7. The applicant is required to sign the renewal application under penalty of perjury.

The applicant may also **voluntarily** provide his or her phone number.

The content of the form has been finalized, and is contained in Exhibit 2. However, formatting and non-substantive changes may still be made.

Business Impact:

This regulatory proposal will not have a significant adverse economic impact on businesses. There are approximately 750 vendors statewide, including small businesses that provide fingerprinting services. There should be no initial or ongoing cost impact upon the vendors because they are already equipped to provide the service and the fingerprinting requirement will be extended over a two (2) year period.

Specific Technologies or Equipment:

The regulatory proposal requires the use of Live Scan, which is a well-established and readily available technology for submission of fingerprints.

Consideration of Alternatives:

The Board considered requiring all registered nurses not previously fingerprinted or for whom no fingerprint record existed to be fingerprinted upon approval of the new regulation; however, it was determined that this alternative was not feasible for the Board and DOJ due to staffing, workload and resources being limited.

BOARD OF REGISTERED NURSING

P.O. Box 944210, Sacramento, CA, 94244-2100

P (916) 322-3350 | www.rn.ca.gov

Ruth Ann Terry, MPH, RN, Executive Officer



EXHIBIT 1

To: All Registered Nurses

Subject: New Requirements at Time of RN License Renewal Effective March 2008

New Requirements for Registered Nurses

Disclosure of Convictions and Discipline

To renew a license that expires on or after March 1, 2009, the Board requires the licensee to disclose whether, since his or her last renewal, he or she has had any other license disciplined by a government agency or other disciplinary body; or has been convicted of any crime in any state, the United States and its territories, military court or other country. If a response of "yes" is provided, additional information regarding the matter will be requested by the Board.

"Conviction" includes a plea of guilty or no contest and any conviction that has been set aside or deferred pursuant to Sections 1000 or 1203.4 of the Penal Code, including infractions, misdemeanors, and felonies. It is not necessary to report a conviction for an infraction with a fine of less than \$300 unless the infraction involved alcohol or a controlled substance. However, any convictions in which a plea of no contest was entered and any convictions that were subsequently set aside or deferred pursuant to Sections 1000 or 1203.4 of the Penal Code must be disclosed. "License" includes permits, registrations, and certificates. "Discipline" includes, but is not limited to, suspension, revocation, voluntary surrender, probation, reprimand or any other restriction on a license held by you.

New Fingerprint Requirement

Regulations were recently approved requiring the submission of fingerprints upon license renewal if the licensee was not fingerprinted by the Board. **This requirement applies to RNs licensed prior to August 1, 1990, since fingerprints were not required for licensure prior to that date**, unless fingerprinted by this Board subsequent to licensure. The regulations require that for a license that expires on or after March 1, 2009, an RN not previously fingerprinted by the Board (or for whom a record of fingerprints no longer exists) is required to be fingerprinted by the California Department of Justice (DOJ) in order to renew the license, and must indicate on the renewal whether the requirement has been met. **Fingerprinting by another agency or your employer is not sufficient to meet the requirement.** If you were fingerprinted by the Board, but a record of that no longer exists, the Board will contact you, if you are required to submit your fingerprints. There is a one-time processing of your fingerprints in order to maintain a current and active RN license in California. The current processing fee for DOJ is \$51.00. In addition, a print "rolling" fee of \$5.00 to \$45.00 will be required at the fingerprint site. The fingerprint requirement will be waived if the license is renewed in an inactive status. However, a request to have an inactive RN license activated will require fingerprints be submitted if the Board does not have fingerprint records for the licensee on file. Fingerprints, if required, may be submitted anytime prior to the renewal.

There are two methods available for completing the fingerprint requirement. One method is Live Scan and is recommended for RNs in California in order to shorten the processing time. For your convenience, attached is a Live Scan service form to be completed or you may access the Boards website to complete the form, as well as instructions for completing and submitting the Live Scan form. The second method for RNs without access to Live Scan is a fingerprint card (hard card) and instructions for obtaining and completing the hard card are also found below.

To obtain information regarding the submission of your fingerprints or to complete the Live Scan form you may visit the Board's website at www.rn.ca.gov and click on the "Licensees" or "Renewing" tab to locate the fingerprint information, Live Scan form or request a fingerprint card (hard card).

Method 1 - Live Scan Process

If you are in California, you may use the Live Scan service. A Live Scan form is enclosed for your convenience. Begin by completing the sections on the form marked with an X and take three copies to a Live Scan site along with your fee for processing. At the Live Scan site, your fingerprints will be electronically scanned and transmitted immediately to DOJ for processing. After you have had your fingerprints scanned, be sure to attach the second copy of your Live Scan form to your renewal form when you mail it to the Board.

Visit <http://ag.ca.gov/fingerprints/publications/contact.htm> to locate Live Scan sites. Most local law enforcement agencies in California have Live Scan equipment. Hours of operation and fees vary, so please contact the Live Scan site directly for information. **The Board can only accept Live Scan completed in California.**

Completing the Request for Live Scan Service Form:

1. Complete all areas on the form marked with an **X**. Print three copies.
2. Take all three forms to the Live Scan site with your fee.
3. After your fingerprints are scanned:
 - 1st copy of form is kept by the Live Scan Operator
 - Attach 2nd copy of form to your renewal form and **mail** to the Board of Registered Nursing at the address provided above
 - 3rd copy of form is for your records

Method 2 – Manual Fingerprint Card (Hard Card)

To submit a manual fingerprint card (hard card), request an 8" x 8" fingerprint card (FD-258) at the Board's website at www.rn.ca.gov. Click on the "Licensees" or "Renewing" tab to locate the fingerprint information for the manual fingerprint process and request a fingerprint card. Instructions for completing and submitting the manual fingerprint card are located on the website.



LICENSE RENEWAL APPLICATION

FILL IN THE FOLLOWING INFORMATION & RETAIN TOP PORTION FOR YOUR RECORDS. COMPLETE AND RETURN BOTTOM PORTION IN ENCLOSED ENVELOPE.

***** I M P O R T A N T *****

DO NOT SEND CASH. SEND A CHECK OR MONEY ORDER MADE PAYABLE TO:
BOARD OF REGISTERED NURSING

TYPE	LICENSE NO	LICENSE EXPIRES	RENEWAL FEE PAID	DATE RENEWAL MAILED	YOUR CHECK NUMBER
			\$.	/ /	

RENEWAL NOTICE INSTRUCTIONS

PLEASE ALLOW 6-8 WEEKS FOR PROCESSING YOUR RENEWAL BY MAIL
2 WEEKS FOR PROCESSING YOUR RENEWAL VIA THE ONLINE SYSTEM

ONLINE SERVICES: You can renew your license online using your credit card at www.rn.ca.gov. Other services available are address changes, duplicate license requests and license verification. There are NO processing fees for these services.

LATE FEE: You must pay a delinquent fee if your renewal is postmarked after the expiration date.

LEGALITY OF PRACTICE BETWEEN RENEWAL AND RECEIPT OF LICENSE: Section 121 of the Business and Professions Code provides that a nurse may work pending receipt of his/her renewed license providing the renewal fee has been submitted timely and all renewal requirements have been met.

CERTIFICATION REMINDER: Registered nurses must be certified by the Board in order to use the titles Clinical Nurse Specialist, Nurse Practitioner, Nurse Anesthetist, Public Health Nurse, or Nurse-Midwife.

SPECIALTY RENEWALS: If you are a clinical nurse specialist, nurse anesthetist, nurse-midwife, or if you possess a furnishing number certificate, you must renew your certificate(s) in addition to your registered nurse license. You will receive a separate renewal notice for your certificate(s) requiring a renewal fee. NOTE: The following certifications are automatically updated upon renewal of the registered nurse license; nurse practitioner, public health nurse, and psychiatric/mental health nurse.

CORRESPONDENCE ADDRESS: The address provided at the top of this form is for renewals only. All other correspondence should be addressed to: Board of Registered Nursing, P.O. Box 944210, Sacramento, CA 94244-2100.

NAME/ADDRESS CHANGES: If you have moved or changed your name, you are required by law (Title 16, California Code of Regulations, Section 1409.1) to notify the Board within 30 days of the change. ADDRESS CHANGES may be submitted to the Board over the phone, by mail, or by e-mail to renewals_brn@dca.ca.gov. NAME CHANGES must be submitted in writing and be accompanied by a copy of the appropriate legal documentation.

FAILURE TO RESPOND TO ANY OF THE ITEMS BELOW WILL RESULT IN A DELAY IN THE PROCESSING OF YOUR RENEWAL

ACTIVE/INACTIVE STATUS: The same fee is required for both active and inactive status. Inactive status means you have not completed continuing education and may not practice nursing in California. Please **indicate either "ACTIVE" (A) OR "INACTIVE" (B) in the LICENSE STATUS box below.**

CONTINUING EDUCATION (CE) FOR ACTIVE STATUS: You must **check the box in block (C)** below to certify completion of the CE requirement to qualify for active status. See reverse of this form for more information on CE requirements.

SIGNATURE REQUIRED: Be sure to **sign your name in the block (D)** as indicated below.

CONVICTION AND DISCIPLINE INSTRUCTIONS: **Check the box next to "YES" (item G)** below if, since your last renewal, you have had a license disciplined by a government agency or other disciplinary body, or if you have been convicted of any crime. "Conviction" includes a plea of guilty or no contest and any conviction that has been set aside or deferred pursuant to Sections 1000 or 1203.4 of the Penal Code, including infractions, misdemeanors, and felonies. You do not need to report a conviction of an infraction with a fine of less than \$300 unless the infraction involved alcohol or a controlled substance. You must, however, disclose any convictions in which you entered a plea of no contest and any convictions that were subsequently set aside or deferred pursuant to Sections 1000 or 1203.4 of the Penal Code. "License" includes permits, registrations, and certificates. "Discipline" includes, but is not limited to, suspension, revocation, voluntary surrender, probation, reprimand, or any other restriction on a license held by you. Be sure to **check the box next to "NO" (item H)** if, since your last renewal you have not had a license disciplined by another government agency and you have not been convicted of a crime.

FINGERPRINT REQUIREMENT: Effective March 1, 2009, fingerprinting will be required for registered nurses licensed prior to August 1, 1990. Failure to submit a full set of fingerprints on or before the date required for renewal of a license is grounds for discipline by the Board. **Check the "YES" box (Item I)** if you submitted your fingerprint records to the Department of Justice (DOJ) and sent a copy of the Live Scan form to the Board. (Note: If you were licensed by the BRN on or after August 1, 1990, your fingerprint records were already processed and you should check the "YES" box.) **Check the "NO" box (Item J)** if you have not submitted your fingerprint records to the DOJ and you were licensed prior to August 1, 1990.

DETACH HERE & RETAIN TOP PART FOR YOUR RECORDS.

RENEWAL APPLICATION FOR REGISTERED NURSE

SINCE YOU LAST RENEWED YOUR LICENSE, HAVE YOU HAD A LICENSE DISCIPLINED BY A GOVERNMENT AGENCY OR OTHER DISCIPLINARY BODY; OR, HAVE YOU BEEN CONVICTED OF ANY CRIME IN ANY STATE, THE USA AND ITS TERRITORIES, MILITARY COURT OR OTHER COUNTRY?

G. ☐ YES H. ☐ NO

HAVE YOU COMPLIED WITH THE FINGERPRINT REQUIREMENT AS DESCRIBED ABOVE?

I. ☐ YES J. ☐ NO

CHECK FOR ACTIVE STATUS

C. ☐ I CERTIFY THAT I HAVE SUCCESSFULLY COMPLETED 30 HOURS OR MORE OF CONTINUING EDUCATION DURING MY LAST LICENSE PERIOD, OR I AM EXEMPT FROM CE BASED ON FIRST-TIME RENEWAL STATUS AS DESCRIBED IN INSTRUCTIONS ON REVERSE OF THIS FORM.

SIGNATURE REQUIRED

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT ALL RESPONSES I HAVE PROVIDED IN THIS RENEWAL APPLICATION ARE TRUE AND CORRECT.

D. SIGNATURE _____ DATE _____

DELINQUENT FEE IF
POSTMARKED AFTER

E. ONLY FILL IN IF A CHANGE IN NAME OR ADDRESS HAS OCCURRED. PRINT ANY CHANGES BELOW.

FULL NAME _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

ENTER YOUR PHONE NUMBER FOR REFERENCE

PHONE NUMBER (_____) _____

LICENSE NO LICENSE EXPIRES AMOUNT DUE NOW

LICENSE STATUS

PLEASE CHECK APPROPRIATE BOX

A. ☐ ACTIVE

B. ☐ INACTIVE

OVER

FINGERPRINT REQUIREMENT

Section 1419 of Division 14 of Title 16 of the California Code of Regulations

1419. Renewal of License.

- (a) A renewal application shall be on the form provided by the board, accompanied by the fee specified in Section 1417(a)(3) and required information and filed with the board at its office in Sacramento.
- (b) For a license that expires on or after March 1, 2009, as a condition of renewal, an applicant for renewal not previously fingerprinted by the board, or for whom a record of the submission of fingerprints no longer exists, is required to furnish to Department of Justice, as directed by the board, a full set of fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search conducted through the Department of Justice. Failure to submit a full set of fingerprints to the Department of Justice on or before the date required for renewal of a license is grounds for discipline by the board. It shall be certified on the renewal form whether the fingerprints have been submitted. This requirement is waived if the licensee is renewed in an inactive status, or is actively serving in the military outside the country.
- (c) As a condition of renewal, an applicant for renewal shall disclose on the renewal form whether he or she has been convicted, as defined in Section 2765, of any violation of the law in this or any other state, the United States, or other country, omitting traffic infractions under \$300 not involving alcohol, dangerous drugs, or controlled substances.
- (d) Failure to provide all of the information required by this section renders any application for renewal incomplete and not eligible for renewal.

NOTE: Authority cited: Sections 2708.1, 2715 and 2761(f), Business and Professions Code. Reference: Sections 2715, 2761(f) and 2811, Business and Professions Code; and Section 11105(b)(10), Penal Code.

(2) Amend section 1419.1 of Division 14 of Title 16 of the California Code of Regulations to read as follows:

1419.1. Inactive License.

- A license may be maintained in an inactive status by paying the renewal fee as it becomes due. The licensee shall not practice nursing during the time the license is inactive.
- To activate an inactive license, the licensee must submit a written request and evidence of 30 hours of approved continuing education taken during the two-year period immediately preceding the request for activation. A licensee activating a license pursuant to this section shall furnish a full set of fingerprints as required by and set out in section 1419(b) as a condition of activation.
- NOTE: Authority cited: Sections 2708.1, 2715 and 2761(f), Business and Professions Code. Reference: Sections 2734 and 2761(f), Business and Professions Code; and Section 11105(b)(10), Penal Code.

(3) Amend section 1419.3 of Division 14 of Title 16 of the California Code of Regulations to read as follows:

1419.3. Reinstatement of Expired License.

- In the event a licensee does not renew his/her license as provided in Section 2811 of the code, the license expires. A licensee renewing pursuant to this section shall furnish a full set of fingerprints as required by and set out in section 1419(b) as a condition of renewal.
- (a) A licensee may renew a license that has not been expired for more than eight years by paying the renewal and penalty fees as specified in Section 1417 and providing evidence of 30 hours of continuing education taken within the prior two-year period.
- (b) A licensee may renew a license that has been expired for more than eight years by paying the renewal and penalty fees specified in Section 1417 and providing evidence that he or she holds a current valid active and clear registered nurse license in another state, a United States territory, or Canada, or by passing the Board's current examination for licensure.

NOTE: Authority cited: Sections 2708.1, 2715, 2761(f), and 2811.5, Business and Professions Code. Reference: Sections 2761(f), 2811 and 2811.5, Business and Professions Code; and Section 11105(b)(10), Penal Code.

CONTINUING EDUCATION REQUIREMENTS

Registered nurses are required by law to complete 30 hours of continuing education (CE) to renew their licenses in an active status. Courses must be completed within two years prior to your license expiration date. If using academic courses taken for CE credit, use the following breakdown to compute the number of hours: 1 quarter unit = 10 contact hours; and 1 semester unit = 15 contact hours.

CE EXEMPTION FOR CERTAIN FIRST-TIME RENEWALS: If you obtained your initial registered nurse license by passing the national licensing examination (NCLEX) within the past two years and this is your first renewal, you are exempt from the CE requirement. Be sure to check block (C) on the front for active status.

IMPORTANT: For active status, you must certify that you have completed the required 30 hours of continuing education OR claim exemption based on first-time renewal by checking the appropriate box below. Be sure to sign your name in the block (D) on the front of this form. YOU ARE REQUIRED TO KEEP CERTIFICATES OR GRADE SLIPS FOR FOUR YEARS AS PROOF OF COMPLETION IN CASE OF AN AUDIT.

DETACH HERE